

1 Douglas J. Rovens (State Bar # 106582)
drovens@ssd.com
2 Jeffrey S. Renzi (State Bar # 221963)
jrenzi@ssd.com
3 SQUIRE, SANDERS & DEMPSEY L.L.P.
555 S. Flower St., 31st Floor
4 Los Angeles, CA 90071
Telephone: (213) 624-2500
5 Facsimile: (213) 623-4581

6 Attorneys for Defendant
4ACCESS COMMUNICATIONS COMPANY
7

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 VAL POPESCU, an individual;

12 Plaintiff,

13 vs.

14 4ACCESS COMMUNICATIONS
COMPANY, a Delaware corporation, and
15 DOES 1 through 10, inclusive,

16 Defendants.
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Case No. 08 CV 00525 H LSP

**JOINT MOTION TO EXTEND TIME FOR
DEFENDANT 4ACCESS
COMMUNICATIONS COMPANY TO
FILE RESPONSE TO COMPLAINT**

[Local Rule 12.1]

[Order filed concurrently herewith]

1 Counsel for plaintiff VAL POPESCU (hereinafter "Plaintiff") and counsel for defendant
2 4ACCESS COMMUNICATIONS COMPANY (hereinafter "4Access") in the above-captioned
3 action (hereinafter "Action") hereby jointly move the Court by this motion (hereinafter "Motion")
4 with respect to the Action.

5 1. On January 9, 2008, Plaintiff filed a complaint (hereinafter "Complaint") in the
6 Superior Court of the State of California, County of San Diego. 4Access was served with a copy
7 of the Complaint and Summons thereon on February 21, 2008. On March 20, 2008, 4Access
8 removed this action to the United States District Court for the Southern District of California.

9 2. Pursuant to Rule 81(c) of the Federal Rules of Civil Procedure, 4Access's response
10 to the Complaint is due on Thursday, March 27, 2008. The parties have not previously sought an
11 extension in this matter, and the extension sought by this Motion is not for purposes of delay.

12 3. Plaintiff has represented to 4Access that he will file an amended complaint,
13 rendering the Complaint moot.

14 4. Plaintiff and 4Access hereby agree to extend the time for 4Access to respond to
15 the Complaint in this matter by twenty (20) days, pursuant to Federal Rule of Civil Procedure
16 6(b) and Local Rule 12.1. Should Plaintiff file and serve an amended complaint before 4Access
17 files a response to the Complaint, the parties hereby agree that 4Access will have the applicable
18 period proscribed by the Federal Rules of Civil Procedure to answer or otherwise respond to such
19 amended complaint.

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1 THE PARTIES RESPECTFULLY REQUEST THE COURT enter the accompanying
2 order allowing 4Access a twenty (20) day extension of time to respond to the Complaint, or if
3 Plaintiff files and amended complaint before April 16, 2008, 4Access will have the applicable
4 period proscribed by the Federal Rules of Civil Procedure to respond to that amended complaint.

5 SO STIPULATED.

6
7 Dated: March 26, 2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

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9 By: s/ Jeffrey S. Renzi
Douglas J. Rovens
Jeffrey S. Renzi
10 Attorneys for Defendant
11 4ACCESS COMMUNICATIONS COMPANY

12 Dated: March 26, 2008

THE AFFINITY LAW GROUP APC

13
14 By: /s/ Gregory P. Goonan
Gregory P. Goonan
15 Attorneys for Plaintiff
16 VAL POPESCU

PROOF OF SERVICE

(Pursuant to Federal Law)

The undersigned certifies and declares as follows:

I am a resident of the State of California and over 18 years of age and am not a party to this action. My business address is 555 South Flower Street, 31st Floor, Los Angeles, California 90071-2300, which is located in the county where any non-personal service described below took place.

On March 26, 2008, a copy of the following document(s):

JOINT MOTION TO EXTEND TIME FOR DEFENDANT 4ACCESS
COMMUNICATIONS COMPANY TO FILE RESPONSE TO COMPLAINT

was served on:

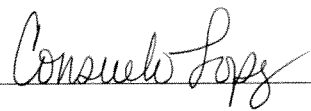
Gregory P. Goonan, Esq.
The Affinity Law Group APC
600 West Broadway, Suite 400
San Diego, California 92101-3352
Telephone: (619) 446-5661
Facsimile: (619) 515-1197
ggoonan@affinity-law.com

Service was accomplished as follows.

☐ **By U.S. Mail.** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice the mail would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **By Electronic Means.** On the above date, I filed the above-mentioned document(s) by electronic means with the Court. As such, the Court electronically mailed such document(s) to the parties noted above, whose electronic mail address is set forth above.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on March 26, 2008, at Los Angeles, California.


Consuelo Lopez

LOSANGELES/262342.1